IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUIT NO.432 OF 2004

...

Mohmed Husain Merchant ...Plaintiff

v/s.

M.D.Choksey Construction

Company Pvt.Ltd. ...Defendants

...

Mr.A.Y.Bookwala i/b Ranjit & Co. for the Plaintiff.

Mr.Anuj Narula i/b Jhangiani, Narula & Associates for the Defendants.

...

CORAM: D.K.DESHMUKH, J.

DATED: 14TH DECEMBER,2004

P.C.:

1. By consent of parties all the disputes in the suit are referred to the sole arbitrator Shri J.B. Chinoy,Sr. Counsel, having office at Karim Chambers, 4th floor, Hamam Street, Fort, Mumbai-23. Arbitration shall be conducted in accordance with Arbitration & Conciliation Act, 1996. The learned Arbitrator shall endeavour to make the award as expeditiously as possible, in any case within a period of six months from today.

2. Parties have undertaken before me to co.operate with the Arbitrator in making the award as early as possible. The learned Counsel for the Defendant, after taking instructions, states that the Defendant undertakes not to transfer the property which is the subject matter of this suit or create any third party interest therein without seeking leave of the Arbitrator.

Statement is accepted.

This statement is made by the learned Counsel without

prejudice to the rights and contentions of the Defendant.

3. In view of this statement, the learned Counsel appearing for the Plaintiff does not press any interim relief.

4. Plaintiff to inform the learned Arbitrator about this order.

...